



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/928,009	08/10/2001	Kenneth Gabriel Heiser	HEISE R - 01	7281

7590 03/31/2004
Albert T. Keyack
1005 Glendevon Drive
Ambler, PA 19002

EXAMINER

HAILU, TADESSE

ART UNIT	PAPER NUMBER
----------	--------------

2173

DATE MAILED: 03/31/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/928,009

Applicant(s)

KENNETH GABRIEL HEISER

Examiner

Tadesse Hailu

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 7-10 is/are rejected.
- 7) ☒ Claim(s) 5 and 6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to the patent application (09/928,009) filed on 10 August 2001.

Status of the claims

2. The pending claims 1-10 are examined as follows:

Specification

3. The disclosure is objected to because it contains a plurality of embedded hyperlinks and/or other form of browser-executable codes. Applicant is required to delete the embedded hyperlinks and/or other form of browser-executable codes disclosed In the BACKGROUND OF THE INVENTION section. See MPEP § 608.01.

Drawings

4 The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the plurality of input screens, and the three levels of interactions must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

5. Claims 5, 6, and 10 are objected to because of the following informalities: claim 5 recites "less complexity that" in line 8, this should read --less complexity than--. Claim 6 recites "the

Art Unit: 2173

software program of claim 6" in line 1, this is improper. Claim 6 should depend on any other claim but not on claim 6. Claim 10 recites "in a null value" in line 3, this should be replaced to --if a null value--. Appropriate correction is required

Claim Rejections - 35 USC § 112

6. Claims 1-4 and 7-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Independent Claims 1 and 7 recite the limitation "the step" in line 2. Claim 2 also recites the limitation "the step" in line 1. There is insufficient antecedent basis for this limitation in the claims. Thus, claims 1-4 and 7-10 are also rejected.

Claims 3 and 8 recite the limitation "the prefatory" in line 1. There is insufficient antecedent basis for this limitation in the claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-4, and 7-10 are rejected under 35 U.S.C. 102(a) as being anticipated by *The Will Expert*, July 30, 2001.

The present invention is directed to generating an interactive will or trust document using the Internet. Similarly, *The Will Expert* discloses an online Last Will and Testament interactive

Art Unit: 2173

form to be filled by a user (testator). Consequently, The Will Expert anticipates the following claimed invention.

With regard to claim 1:

The Will Expert discloses a method for enabling a user (testator) to create a will document online. The method includes a plurality of data entry field screens that are arranged in logical order, that is, the first data entry field screen requires personal information, and the second and subsequent data entry field screens deals with financial related matters. After user inputting data to each fields of each screen, then user is able to create and print his own Last Will and Testament document (page 1).

With regard to claim 2:

The Will Expert also illustrates (last pages) that user is not allowed to jump to another data entry field screen without completing the current screen inputs. For example the pop-up dialog informs the user to input data to all the fields before proceeding to the next screen (see the screen shots in the last pages).

With regard to claim 3:

The Will Expert also provides the user (testator) a plurality of selectable options during creating the will, for example such as whether his will include Testamentary Trust or not. (Page 4). If the user is including a Testamentary Trust in the will, then there will be additional (complex) data entry field to be filled by the user. The entry field is less than the personal data entry field.

With regard to claim 4:

The Will Expert discloses a personal data entry field screen, a financial data entry field screen and price data entry field screen for using the software program. Those can be considered as three level of process to create the document.

With regard to claim 7:

The Will Expert discloses a method for enabling a user (testator) to create a will document online. The Will Expert also includes a plurality of data entry questions to collect personal and financial data, and processing said data to calculate net worth and other parameters relevant to a will, and furthermore, The Will Expert process the data for final output, which is a will document, printable by a user. (page 1).

With regard to claim 8:

The Will Expert also provides the user (testator) a plurality of selectable options during creating the will, for example such as whether his will include Testamentary Trust or not. (Page 4). If the user is including a Testamentary Trust in the will, then there will be additional (complex) data entry field to be filled by the user.

With regard to claim 9:

The Will Expert discloses a personal data entry field screen, a financial data entry field screen and price data entry field screen for using the software program. Those can be considered as three level of process to create the document.

With regard to claim 10:

The Will Expert also illustrates (last pages) that user is not allowed to jump to another screen without completing the current screen inputs, that is, null input is not allowed. For example the

Art Unit: 2173

pop-up dialog informs the user to input data to all the fields before proceeding to the next screen.
(see the screen shots in the last pages).

Allowable Subject Matter

8. Claims 5-6 are allowed.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Tadesse Hailu, whose telephone number is (703) 306-2799. The Examiner can normally be reached on M-F from 10:00 - 6:30 ET. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, John Cabeca, can be reached at (703) 308-3116 Art Unit 2173 CPK 2-4A51.

10. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Tadesse Hailu



March 25, 2004